



CITY COUNCIL

JAN SUMRALL
DISTRICT NO. 1

ROSE RODRIGUEZ
DISTRICT NO. 2

LARRY M. MEDINA
DISTRICT NO. 3

JOHN COOK
DISTRICT NO. 4

DANIEL S. POWER
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

LUIS G. SARIÑANA
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

REGULAR COUNCIL MEETING
COUNCIL CHAMBERS
AUGUST 20, 2002
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Pastor George Rogers, First Presbyterian Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

Mayor's Presentations:

1. Insure El Paso Week - 8/17 - 8/23
2. Community Health Center Week - 8/18 - 8/24
3. Neighborhood Matters! Week - 8/26 - 8/30
4. Lic. Jesus Alfredo Delgado Muñoz Day - 8/20
5. Holocaust Sunday - 9/29

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No action was taken regarding the report from Ms. Patricia Adatao, Director of Planning, Research and Development.

Ms. Patricia Adatao, Director of Planning, provided an overview of the Planning Department for public information and explained that the Planning Department budget was compromised of General Fund funding and Community Development Block Grant (CDBG) funding for a total of \$1.68 million dollars annually. She stated that her Department was divided into four divisions: Administration, Land Development, Long Range and Neighborhood Planning, and Data Management and Support Services. She elaborated on the duties and responsibilities of each division and the number of employees in each division. She commented on the Planning Department's goals to include staff development and training, improving customer service, and community outreach programs. She explained that the Planning Department was involved in many major projects and highlighted the Downtown Redevelopment Action Plan.

Representatives Sumrall, Medina, Cook, Power, Cobos and Mayor Caballero questioned Ms. Adatao as to the specifics of the department's Downtown Redevelopment Action plan, Growth Options Report and the Historic Properties Inventory project.

Representative Cook noted it would behoove the Planning Department to include some type of monetary incentive and/or reduce the building permit fees to entice individuals to participate in the in-fill growth process.

Ms. Adauto responded incentives were included in the recommendations and mentioned that tax abatements and other incentives would also be included.

Representative Sumrall questioned whether a provision in the Code would “force” some downtown property owners to make improvements, some drastic, to their properties. She commented that the poor condition of the buildings/properties might deter interested parties from investing in Downtown El Paso and questioned whether the City could practice eminent domain and acquire those unsightly properties.

Ms. Adauto remarked that the Planning Department was composing a Tax Credit Program for those properties having historic significance and noted that language in the new Rehab Code would encourage those property owners, who had previously resisted making the necessary improvements, to make an effort to improve said property.

Representative Power agreed with Representative Sumrall's comment that the City should be more aggressive in reprimanding those property owners who continually maintain their properties poorly. He also added that the City should develop a package where developers would become enticed to target in-fill development. He stated that filling vacant lands first was a Quality of Life issue and asked businesses to become involved.

Mayor Caballero remarked that many people drive through El Paso yet do not stop and suggested that the City, partnering with Texas Department of Transportation, focus resources on two blocks of either US 54 to Diana or I-10 West to Executive Center in order that people traveling through our great City would see something new and different that would leave a lasting impression.

Representative Medina touched on the in-fill development and redevelopment of the Central parts of the City and noted the costs would be expensive and perhaps controversial.

Motion made by Representative Medina, seconded by Representative Sariñana, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.
(Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk {*}).

Representative Cobos was not present for the vote.

Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of July 8, 2002.

Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Agreement for Volunteer Services between the City of El Paso and Pets Alive-El Paso, Inc., to provide rabies vaccinations in addition to the City Spay/Neuter Voucher Program for an additional Two Thousand Dollars (\$2,000.00) in discretionary funds as approved by the City Council on June 4, 2002.

Representative Sumrall stated that the excuse “I can’t afford to have my animals spayed and/or neutered and have rabies shots” was no longer a valid excuse, anymore. She explained that the funds would be made available to low income families in order to avoid having to put down 20,000 animals a year.

Ms. Teresa Garcia, Assistant City Attorney, responded individuals could contact the Humane Society to receive the pertinent information.

Mayor Raymond C. Caballero thanked Council Members who were so committed to the animal world and added that animals not taken care of properly are an enormous burden on taxpayers.

Representative Cook reiterated that the program had been set up, regarding spaying/neutering, the results of which would be shared as soon as possible.

Motion made by Representative Sumrall, seconded by Representative Cook and unanimously carried to approve the above Resolution.

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*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
9600 Block Border Highway	\$1,173.62	\$997.67	\$2,170.29

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*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a release of lien on the following property (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to this sanitation lien for:

	<u>Lien</u>	<u>Interest</u>	<u>Total Paid</u>
8701 Mount Whitney Drive	\$70.36	\$0.45	\$70.81

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*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a statement of continuing interest in the application previously submitted by the City of El Paso Police Department to the Texas Department of Public Safety to seek funding for the purchase of 366 video units to be placed in the Police Department's patrol vehicles.

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*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Memorandum of Understanding between the City of El Paso and the Department of the Army, U.S. Army Air Defense Artillery Center and Fort Bliss, relating to the establishment of a liaison officer at the Police Department Northeast Regional Command Center to allow the Army to assist its service and family members involved in police matters.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign an Amendment to the Professional Services Agreement between the City and Lloyd Gosselink, Blevins, Rochelle, Baldwin & Townsend, PC, extending the term of the Agreement through December 31, 2002, providing legal services regarding solid waste landfill permitting before the TNRCC and amending maximum fees limit.

Representatives Cobos, Escobar, Rodriguez, Cook and Mayor Caballero questioned Rita Rodriguez, City Attorney, regarding whether the firm was local or out-of-town.

Ms. Rita Rodriguez, City Attorney, responded the law firm was located in Austin, Texas, and were experts in matters regarding TNRCC landfill permitting.

Representative Cobos happened to know of local law firms that practice environmental law and was against the hiring of out-of-town firms.

Representative Escobar remarked that he was on the Statewide Advisory Counsel for TNRCC and commented on the intricacies of reviewing permits. He clarified that environmental law and solid waste landfill permitting were two different matters.

Ms. Rodriguez responded that local firms normally represent the side opposite the City and conflicts of interest may arise if these same local firms were hired to represent the City.

Representative Cobos mentioned that the original contract was at a cost of \$50,000.00 and that an additional \$35,000.00 would now be given.

Ms. Rodriguez disagreed and explained that the original contract was for \$25,000.00, which would now be increased to \$35,000.00.

Mayor Raymond C. Caballero asked that a survey be sent to local firms and other public institutions to investigate whether they may or may not be interested in hiring the expertise needed to represent the City of El Paso.

Mr. Charlie McNabb, Chief Administrative Officer, and Ms. Emma Acosta, Director of Solid Waste Management, made remarks.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and the Chief of Police be authorized to submit the on-line grant acceptance to accept a grant award for a Local Law Enforcement Block Grant from the U.S. Department of Justice, Bureau of Justice Assistance, for the purpose of purchasing a new records management system for the Police Department in the amount of \$485,265.00; matching funds in the amount of \$53,918.00; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided

that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Memorandum of Understanding (MOU) between the City of El Paso, on behalf of the El Paso Public Library, and the Upper Rio Grande Workforce Development Board (URGWDB). Under the terms of the MOU, the City and URGWDB will collaborate to improve the quality of child care services in the community through the I'm Learning!/Estoy Aprendiendo! Project, a part of the Child Care Local Initiatives Program. The goal of the Project is to offer opportunities for parents to improve their literacy skills and to place emphasis on the importance of reading aloud to their children. Federal funds of \$21,535 will be matched by funding from the Library in the amount of \$14,235.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art.

Event:	Meeting
Licensee:	Border Environment Cooperation Commission
Date:	September 25, 2002
Time:	9:00 a.m. - 1:00 p.m.
Charge for Space:	\$500.00
Charge for Staff (est):	\$ 80.00
Charge for Insurance:	\$ 40.00
Area(s):	Auditorium

NOTE: Date: was revised to note "September 25, 2002"

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following special events agreement for space in the El Paso Museum of Art. Licensee is requesting permission to serve alcohol in the premises.

Event:	Retirement Celebration
Licensee:	YWCA El Paso Del Norte Region
Date:	September 7, 2002
Time:	7:00 p.m. - 9:00 p.m.
Charge for Space:	\$1,200.00
Charge for Staff (est.):	\$420.00
Charge for Insurance:	(insured)
Area(s):	Special Events

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement.

Phi Theta Kappa Honor Society
Omega Gamma Chapter

Marion Manor

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign the "Park Partner" Agreement with the following organization for maintenance and other services on City property as described in the Agreement.

Immanuel Baptist Christian School

Ponder Park

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT 501011

1. CONTRACTOR: Margie Landavazo, Pre-School Instructor, Step 5
DATES: September 1, 2002, thru August 31, 2003
RATES PER HR: \$7.45
CONTRACT NO: 2002/2003-011

GALATZAN RECREATION CENTER

DEPARTMENT ID: 51510131, ACCOUNT 501011

2. CONTRACTOR: Raquel Baca, Daycare Instructor, Step 1
DATES: September 1, 2002, thru February 28, 2003
RATES PER HR: \$6.45
CONTRACT NO: 2002/2003-012
3. CONTRACTOR: Patricia Cardenas, Daycare Instructor, Step 4
DATES: September 1, 2002, thru February 28, 2003
RATES PER HR: \$7.20
CONTRACT NO: 2002/2003-013
4. CONTRACTOR: Gabriela Chavez, Daycare Instructor, Step 2
DATES: September 1, 2002, thru February 28, 2003
RATES PER HR: \$6.70
CONTRACT NO: 2002/2003-014

5. CONTRACTOR: Claudia Garcia, Daycare Instructor, Step 4
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$7.20
 CONTRACT NO: 2002/2003-015
6. CONTRACTOR: Roland Johnson III, Daycare Instructor, Step 1
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$6.45
 CONTRACT NO: 2002/2003-016
7. CONTRACTOR: Virginia Martinez Mata, Daycare Instructor, Step 6
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$7.70
 CONTRACT NO: 2002/2003-017
8. CONTRACTOR: Juanita Ramirez, Daycare Instructor, Step 5
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$7.45
 CONTRACT NO: 2002/2003-018
9. CONTRACTOR: Carolyn J. Tromer, Daycare Director, Step 6
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$9.25
 CONTRACT NO: 2002/2003-019
10. CONTRACTOR: Liliana Zamora, Daycare Instructor Aide, Step 1
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$5.35
 CONTRACT NO: 2002/2003-020

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employee Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

MULTIPURPOSE - SUN COUNTRY CDBG

DEPARTMENT ID: 51150056, 10034, G7128CD0032, ACCOUNT 501011

1. CONTRACTOR: Anna Thorton, Daycare Director, Step 6
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$9.25
 CONTRACT NO: 2002/2003-021
2. CONTRACTOR: Grace Gregorio, Assistant Daycare Coordinator, Step 5
 DATES: September 1, 2002, thru February 28, 2003
 RATES PER HR: \$8.00
 CONTRACT NO: 2002/2003-022

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT 502214

1. CONTRACTOR: Rebecca Becerra, Bodyworks (Aerobics) Instructor
 DATES: September 3, 2002 thru November 30, 2002
 RATE PER CL: \$15.70
 MAXIMUM AMT: \$1,444.40
 CONTRACT: 2002/2003-004

2. CONTRACTOR: Ricardo Lerma, Boxing Skills Instructor
 DATES: September 1, 2002 thru November 30, 2002
 RATE PER CL: \$10.30
 MAXIMUM AMT: \$659.20
 CONTRACT: 2002/2003-005

3. CONTRACTOR: Judith Marcus, Ballet Instructor
 DATES: September 3, 2002 thru November 30, 2002
 RATE PER CL: \$11.80
 MAXIMUM AMT: \$460.20
 CONTRACT: 2002/2003-006

4. CONTRACTOR: David Martinez, Guitar & Keyboard Instructor
 DATES: September 9, 2002 thru November 29, 2002
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$229.20
 CONTRACT: 2002/2003-007

5. CONTRACTOR: Virginia Quiñonez, Aerobic Instructor
 DATES: September 3, 2002 thru November 29, 2002
 RATE PER CL: \$9.55
 MAXIMUM AMT: \$620.75
 CONTRACT: 2002/2003-008

6. CONTRACTOR: Isabel Maria Reyes, Ballet Folklorico Instructor
 DATES: September 3, 2002 thru November 30, 2002
 RATE PER CL: \$8.80
 MAXIMUM AMT: \$457.60
 CONTRACT: 2002/2003-009

7. CONTRACTOR: Miguel Reyes, Karate Instructor
 DATES: September 3, 2002 thru November 30, 2002
 RATE PER CL: \$8.80
 MAXIMUM AMT: \$343.20
 CONTRACT: 2002/2003-010

8. CONTRACTOR: Consuelo Sanchez, Body toning (Aerobic) Instructor
DATES: September 3, 2002 thru November 30, 2002
RATE PER CL: \$9.55
MAXIMUM AMT: \$372.45
CONTRACT: 2002/2003-011

CAROLINA RECREATION CENTER

DEPARTMENT ID: 51510073, ACCOUNT 502215

9. CONTRACTOR: Karlin Russell, Basketball Referee
DATES: September 7, 2002 thru November 9, 2002
RATE PER GM: \$8.00
MAXIMUM AMT: \$448.00
CONTRACT: 2002/2003-012

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

EASTSIDE SENIOR CENTER

DEPARTMENT ID: 51510404, ACCOUNT 502214

1. CONTRACTOR: Homer Gorton, Low Impact Aerobics Instructor
DATES: September 2, 2002 thru August 29, 2003
RATE PER CL: \$12.80
MAXIMUM AMT: \$1,959.00
CONTRACT: 2002/2003-013

GALATZAN SENIOR CENTER

DEPARTMENT ID: 51510131, ACCOUNT 502214

2. CONTRACTOR: Vanessa Campos, Ballet Instructor
DATES: September 1, 2002 thru August 31, 2003
RATE PER CL: \$10.45
MAXIMUM AMT: \$4,890.60
CONTRACT: 2002/2003-014

MEMORIAL PARK SENIOR CENTER

DEPARTMENT ID: 51510164, ACCOUNT 502215

3. CONTRACTOR: El Paso Mineral & Gem Society, Lapidary and Jewelcraft
DATES: September 1, 2002 thru August 31, 2003
RATE PER CL: \$11.00
MAXIMUM AMT: \$1,265.00
CONTRACT: 2002/2003-015
4. CONTRACTOR: Javier A. Garcia, Painting Techniques Instruction
DATES: September 1, 2002 thru February 28, 2003
RATE PER CL: \$18.00
MAXIMUM AMT: \$468.20
CONTRACT: 2002/2003-016

SAN JUAN RECREATION CENTER**DEPARTMENT ID: 51510123, ACCOUNT 502214**

5. CONTRACTOR: Emilio Cenicerros, Boxing Instructor
DATES: September 3, 2002 thru December 3, 2002
RATE PER CL: \$7.90
MAXIMUM AMT: \$221.20
CONTRACT: 2002/2003-017
6. CONTRACTOR: Patricia Chavez, Aerobics Instructor
DATES: September 2, 2002 thru August 28, 2003
RATE PER CL: \$10.80
MAXIMUM AMT: \$1,123.20
CONTRACT: 2002/2003-018
7. CONTRACTOR: William R. Collins, Karate Instructor
DATES: September 2, 2002 thru August 27, 2003
RATE PER CL: \$9.55
MAXIMUM AMT: \$916.80
CONTRACT: 2002/2003-019
8. CONTRACTOR: Marcela Macias, Dance Instructor
DATES: September 1, 2002 thru August 31, 2003
RATE PER CL: \$8.55
MAXIMUM AMT: \$2,667.60
CONTRACT: 2002/2003-020
9. CONTRACTOR: Anita Martell, Aerobics Instructor
DATES: September 2, 2002 thru August 31, 2003
RATE PER CL: \$7.90
MAXIMUM AMT: \$1,232.40
CONTRACT: 2002/2003-021
10. CONTRACTOR: Juan David Martinez, Music Instructor
DATES: September 5, 2002 thru August 2, 2003
RATE PER GM: \$19.10
MAXIMUM AMT: \$1,986.40
CONTRACT: 2002/2003-022
11. CONTRACTOR: Michelle Rochel, Aerobics Instructor
DATES: September 2, 2002 thru August 28, 2003
RATE PER CL: \$8.55
MAXIMUM AMT: \$889.20
CONTRACT: 2002/2003-023

YOUTH IN FINE ART - SUN COUNTRY CDBG**DEPARTMENT ID: 51150056, 10031, G7128CD0005, ACCOUNT 502214**

12. CONTRACTOR: Emilio Cenicerros, Boxing Instructor
DATES: September 3, 2002 thru December 5, 2002
RATE PER CL: \$7.90
MAXIMUM AMT: \$221.80
CONTRACT: 2002/2003-024

13. CONTRACTOR: George G. Adams, Fine Arts Instructor
 DATES: September 1, 2002 thru June 30, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,000.00
 CONTRACT: 2002/2003-025
14. CONTRACTOR: John W. Mckenzie, Fine Arts Instructor
 DATES: September 1, 2002 thru June 30, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,000.00
 CONTRACT: 2002/2003-026
15. CONTRACTOR: Norma Ponce-Gomez, Fine Arts Instructor
 DATES: September 1, 2002 thru June 30, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,000.00
 CONTRACT: 2002/2003-027

*R E S O L U T I O N

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

ACOSTA SPORTS CENTER

DEPARTMENT ID: 51010215, ACCOUNT 502215

1. CONTRACTOR: El Paso Umpires Association, Field Supervisors Softball
 DATES: September 1, 2002 thru December 31, 2002
 RATE PER GM: \$11.50
 MAXIMUM AMT: \$2,300.00
 CONTRACT: 2002/2003-028
2. CONTRACTOR: El Paso Umpires Association, Umpires Softball
 DATES: September 1, 2002 thru December 31, 2002
 RATE PER GM: \$22.00
 MAXIMUM AMT: \$1,320.00
 CONTRACT: 2002/2003-029
3. CONTRACTOR: Nancy Jackson, Field Supervisor Adult Softball
 DATES: September 1, 2002 thru December 31, 2002
 RATE PER GM: \$11.50
 MAXIMUM AMT: \$2,300.00
 CONTRACT: 2002/2003-030
4. CONTRACTOR: Esteban Raya Jr., Field Supervisor Adult Softball
 DATES: September 1, 2002 thru December 31, 2002
 RATE PER GM: \$10.75
 MAXIMUM AMT: \$2,150.00
 CONTRACT: 2002/2003-031

5. CONTRACTOR: Texas Amateur Softball Association Umpires Softball
DATES: September 1, 2002 thru December 31, 2002
RATE PER GM: \$16.00
MAXIMUM AMT: \$960.00
CONTRACT: 2002/2003-032
6. CONTRACTOR: El Paso Umpires Association, Officials/Scorekeepers Youth Sports
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$70.00
MAXIMUM AMT: \$11,900.00
CONTRACT: 2002/2003-033
7. CONTRACTOR: Joe V. Hernandez, Scorekeeper Various Sports Leagues
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$9.00
MAXIMUM AMT: \$1,800.00
CONTRACT: 2002/2003-034
8. CONTRACTOR: Enrique Montes, Scorekeeper Youth Sports
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$10.00
MAXIMUM AMT: \$920.00
CONTRACT: 2002/2003-035
9. CONTRACTOR: David Piñon, Scorekeeper for Youth Sports
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$10.00
MAXIMUM AMT: \$460.00
CONTRACT: 2002/2003-036
10. CONTRACTOR: Esteban Raya, Jr., Scorekeeper for Youth Sports
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$10.00
MAXIMUM AMT: \$960.00
CONTRACT: 2002/2003-037
11. CONTRACTOR: Sun City Officials Association, Officials/Scorekeepers Youth Sports
DATES: September 1, 2002 thru August 31, 2003
RATE PER GM: \$70.00
MAXIMUM AMT: \$6,720.00
CONTRACT: 2002/2003-038

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***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002-2003 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

NORTHEAST RECREATION CENTER

DEPARTMENT ID: 51510107, ACCOUNT 502214

1. CONTRACTOR: Nancy Scarantino, Aerobics Instructor
 DATES: September 3, 2002 thru August 31, 2003
 RATE PER CL: \$10.25
 MAXIMUM AMT: \$1,199.25
 CONTRACT: 2002/2003-039

2. CONTRACTOR: Richard Brown, Karate Instructor
 DATES: September 3, 2002 thru August 31, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,080.00
 CONTRACT: 2002/2003-040

YOUTH IN FINE ART - SUN COUNTRY CDBG

DEPARTMENT ID: 51150056, 10031, G7128CD0005, ACCOUNT 502215

3. CONTRACTOR: Elvia Fernandez, Fine Arts Instructor
 DATES: September 1, 2002 thru June 30, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,000.00
 CONTRACT: 2002/2003-041

4. CONTRACTOR: Claudia V. Sanchez, Fine Arts Instructor
 DATES: September 1, 2002 thru June 30, 2003
 RATE PER CL: \$20.00
 MAXIMUM AMT: \$2,000.00
 CONTRACT: 2002/2003-042

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **LESLIE ANN COHEN** as a Library Information Specialist II, for the El Paso Public Library at a biweekly rate of \$915.77, for 40 hours per week. The term of the contract shall be for the period of August 21, 2002 through August 20, 2003.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **DEBI A. LOPEZ** as a Library Information Specialist II, to decrease the work hours from 40 hours per week to 20-30 hours per week.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Work Study Contract between the **CITY OF EL PASO** and **MARIA DE JESUS MYERS** for the El Paso Library to be paid at the rate of \$5.57 per hour, not to exceed 20 hours per week without permission from the Co-Op Coordinator in which case the employee may work up to 40 hours per week. The contract period is from August 21, 2002 through August 20, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and the following individuals for Court Reporting Services in the Municipal Court at the rate of \$60.00 for each jury and non-jury session for first 1½ hours plus \$30.00 per hour for court reporting time which exceeds 1½ hours. The term of the contract shall be for the period of September 1, 2002 through August 31, 2003.

1. **DEE ANN BOYD**
2. **MARGARITO "MAX" VENZOR**
3. **JANIE D. RUIZ**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract between the **CITY OF EL PASO** and the following individuals as a Court Interpreters for the Municipal Court at an hourly rate of \$40.00 and partial hours after the first hour prorated at \$10.00 per fifteen minute periods. The Contract period shall be from September 1, 2002 through August 31, 2003.

1. **RAUL AGUIRRE**
2. **M. EVA ARROYO DE PRADA**
3. **JORGE DIEPPA**
4. **VIRGINIA MILLER**
5. **ARMINDA SUSANA PALOMO**

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **ANGELINA AVILA** as a Translation Specialist, for the Police Department at an hourly rate of \$14.92 for 40 hours per week. The term of the contract shall be for the period of September 1, 2002 through August 31, 2003.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **ESTELA G. SHAW** as a Crime Victim Liaison for the Police Department at the rate of \$12.50 per hour, not to exceed 40 hours per week. The term of the contract shall be for the period of September 1, 2002 through August 31, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Contract between the **CITY OF EL PASO** and **OCTAVIO PRIETO**, as an Undergraduate Intern for the Department of Solid Waste Management at the rate of \$7.25 per hour, not to exceed 40 hours per week. The term of the contract shall be from August 21, 2002 through August 20, 2003.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement with ANAYA-GUERRERO INVESTMENTS CORP. D/B/A TONY ROMA'S RESTAURANT to lease the company One (1) 4 Cubic Yard Dumpster for a service fee of \$15.00 each month for the purpose of collecting the company's recyclable materials in conjunction with the Department of Solid Waste Management's recycling program.

***NOTICE OF PUBLIC HEARING**

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 10th day of September, 2002 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 2506 San Jose Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: 28 & 29, Block 38, Highland Park

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, John Taylor and Linnea Hanson, 4837 Winthrop Drive, El Paso, Texas 79924, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- 1) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;

- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the Deputy City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Services Department, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....
 *Motion made, seconded and unanimously carried to authorize the allocation of \$150 from District 6 Discretionary Funds to pay for fee set by Leon Metz, historian, for presentation at District 6 community meeting, as requested by Representative Escobar.

.....
 *Motion made, seconded and unanimously carried to approve the following provisional appointment(s) in accordance with Article VI, Section 6.6-2, of the Civil Service Charter Provisions:

- A. Automotive Service Field Worker (1)
- B. Clerk I (1)
- C. Stores Clerk I (2)

.....
 *Motion made, seconded and unanimously carried to appoint Curtis J. Flynn to the Greater El Paso Civic, Convention and Tourism Advisory Board by Representative Cobos.

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 *Motion made, seconded and unanimously carried to appoint Yolanda Leyva to the History Museum Board by Mayor Raymond C. Caballero.

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 *Motion made, seconded and unanimously carried to appoint Larry Sears to the City-County Board of Health (consumer position) by Mayor Raymond C. Caballero.

.....
 *Motion made, seconded and unanimously carried to appoint Annabell Perez to the Public Utility Regulation Board by Mayor Raymond C. Caballero.

.....
 *Motion made, seconded and unanimously carried that the following installment agreements for AD VALOREM taxes be approved in the amount shown and that the Mayor be authorized to sign said agreements on behalf of the City:

- A. PID #P863-999-0130-2700, \$207.23 per month installments on a balance of \$2,486.76 for 2001 taxes; James & Rebecca Estorga – 10713 Captain Valtr.
- B. PID #'s C878-000-0160-0010 & S533-000-0080-10B0, \$519.88 per month installments on a balance of \$6,238.56 for 2001 taxes; Raul & Manuela Becera – 10912 Lydia.

- C. PID #U819-000-020B-001A, \$335.27 per month installments on a balance of \$4,023.24 for 1999, 2000 & 2001 taxes; Gus E. & Patric Hickerson – No address assigned.
- D. PID #D397-000-0090-0090, \$348.20 per month installments on a balance of \$4,178.40 for 1999, 2000 & 2001 taxes; Lucilla Hernandez – 10224 Hatchett Rd.
- E. PID #B742-999-0010-1900, \$1,069.36 per month installments on a balance of \$6,416.16 for 2001 taxes; Luis M. & Debra Villalobos – 706 Coeur D'Alene.
- F. PID #S167-999-0010-9100, \$14,362.60 per month installments on a balance of \$172,351.20 for 1999, 2000 and 2001 taxes; Dina Inc. – 113 Missouri.

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 *Motion made, seconded and unanimously carried that the following tax refunds be approved:

- A. Wild Oats Markets in the amount of \$1,398.71; overpayment of 2001 taxes.
 (PID #2000-999-1644-0034)
- B. Flagstar Mortgage Corp., in the amount of \$3,316.79; overpayment of 2001 taxes.
 (PID #C214-999-0020-9905)
- C. Edith A. Norris in the amount of \$2,255.25; overpayment of 2000 taxes.
 (PID #C340-999-103A-3100)
- D. Countrywide Home Loans, in the amount of \$2,089.25; overpayment of 2001 taxes.
 (PID #E054-999-0400-1700)
- E. Countrywide Tax Service Corporation, in the amount of \$1,571.48; overpayment of 2001 taxes. (PID #E299-999-0100-1600)
- F. North America Mortgage Company, in the amount of \$1,830.81; overpayment of 1999 taxes.
 (PID #F315-999-0090-4300)
- G. Robert J. Markowski, in the amount of \$6,859.91; overpayment of 2001 taxes.
 (PID #G220-999-0020-0600)
- H. Mortgage Service Center, in the amount of \$4,406.31; overpayment of 2001 taxes.
 (PID #H454-999-0030-1300)
- I. National City Mortgage, in the amount of \$15,254.39; overpayment of 2001 taxes.
 (PID #X310-999-0000-8070)
- J. First Nationwide Mortgage Corporation, in the amount of \$1,768.56; overpayment of 2001 taxes. (PID #S162-999-0060-2700)

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 *Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for two (2) additional years from September 22, 2002 to September 21, 2004 pursuant to the provisions of Contract 2000-221 with Ennis Paint Co., Ennis, Texas for Traffic Paint (Oil Base).

OPTION NO.: ONE (OF ONE)

Department: Street
 Amount of award: \$32,000.00 (annual estimate)
 Account No.'s: 32010287-503122
 Funding source: General Fund

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 *Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for two (2) additional years, from December 20, 2002, through December 19, 2004, pursuant to the provisions of contract 2000-241, Motorcycle Maintenance, with Lone Star Motorcycle Supply.

OPTION NO.: ONE [OF ONE]

Department: Public Works Equipment Maintenance
Amount of Award: \$70,000.00 (annual estimate)
Account No's: 37370510-45202-503125
Funding Source: Equipment Maintenance – Outside Repairs/Services NOC

*Motion made, seconded and unanimously carried to award Bid No. 2002-201 25-Foot Airport Shuttle Bus

Award to: National Bus Sales & Leasing, Inc.
Marietta, GA

Item (s): 1 with Option O1
Amount: \$128,520.00

Department: Department of Aviation
Funds available: 62620020-508006-P500004
Funding source: Airport Capital Funds
Total award: \$128,520.00

The Department of Aviation and Purchasing Departments recommend award as indicated as this vendor has provided the Best Value Bid.

This is a fixed-price, single (one-time) purchase, for the purchase of one 25-Foot Airport Shuttle Bus for the El Paso International Airport.

There was one option of purchasing up to one hundred percent [100%] of the original contract quantities, at the same unit price, if the option is exercised within ten months from date of award of the contract.

Vendor does not offer a prompt pay discount.

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-975 OMB/PERSONNEL

Increase tuition reimbursement for remaining FY02 expenditures.

Decrease	\$15,000	from	09010029/01101/501000	Non Uniform Wages
Increase	\$15,000	to	09010030/01101/504424	Tuition Reimburse

*Motion made, seconded and unanimously carried to approve budget transfer BT2002-992 OMB
To realign appropriations as needed to fund Alameda Project.

Increase	\$ 61,578.25	to	31110005/P50101126102/507001	Intrafund Trf
Increase	\$187,871.95	to	31116001/P50116326031/507001	Intrafund Trf
Increase	\$473,214.78	to	31130004/P50116326200/507001	Intrafund Trf
Increase	\$286,951.65	to	31136001/P50154627136/507001	Intrafund Trf
Increase	\$286,619.74	to	31116101/P50119426034/507001	Intrafund Trf
Increase	\$132,466.84	to	31116107/P50123126051/507001	Intrafund Trf
Increase	\$100,047.20	to	31116101/PPW001826057/507001	Intrafund Trf
Increase	\$ 46,697.60	to	31116101/PPW002226058/507001	Intrafund Trf
Increase	\$174,000.00	to	31130205/P50148626183/507001	Intrafund Trf
Increase	\$145,043.78	to	31118001/P50125027011/507001	Intrafund Trf
Increase	\$ 17,711.66	to	31118111/P50125127021/507001	Intrafund Trf
Increase	\$887,796.55	to	31131001/P50148827061/507001	Intrafund Trf
Increase	\$145,043.78	to	31118001/P50147027012/407001	Intrafund Trf
Increase	\$145,043.78	to	31118001/P50147027012/508027	Construction
Increase	\$ 17,711.66	to	31118111/P50147027036/407001	Intrafund Trf
Increase	\$ 17,711.66	to	31118111/P50147027036/508027	Construction
Increase	\$887,796.55	to	31131001/P50147027079/407001	Intrafund Trf

Increase	\$887,796.55	to	31131001/P50147027079/508027	Construction
Increase	\$286,951.65	to	31136001/P50147027153/407001	Intrafund Trf
Increase	\$286,951.65	to	31136001/P50147027153/508027	Construction
Increase	\$753,703.33	to	31116101/P50147026065/407001	Intrafund Trf
Increase	\$753,703.33	to	31116101/P50147026065/508027	Construction
Increase	\$ 61,578.25	to	31110005/P50147026105/407001	Intrafund Trf
Increase	\$ 61,578.25	to	31110005/P50147026105/508027	Construction
Increase	\$174,000.00	to	31130205/P50147026186/407001	Intrafund Trf
Increase	\$174,000.00	to	31130205/P50147026186/508027	Construction
Increase	\$473,214.78	to	31130004/P50147026206/407001	Intrafund Trf
Increase	\$473,214.78	to	31130004/P50147026206/508027	Construction

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*Motion made, seconded and unanimously carried to approve the request of Juvenile Diabetes Research Foundation to hold a 5k walk on September 28, 2002 from 9:00 a.m. to 11:00 a.m. Route: Exit Sunland Park Mall parking lot; right on S. Mesa Hills, right on Cabaret, right on Carousel, right on Rubin, right on Suncrest, left on Wallenberg, left on Mesa Hills, enter back in Sunland Park Mall parking lot. Approximately 1,500 persons will take part. PERMIT NO. 02-096

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*Motion made, seconded and unanimously carried to approve the request of Fiesta de las Flores to hold a parade on August 30, 2002 from 1:00 p.m. to 2:30 p.m. Route: Start at Montana and Stanton, west on Montana to Oregon, south on Oregon to San Antonio, right on San Antonio, east on San Antonio to St. Vrain. Approximately 100 persons and 35 vehicles will take part. PERMIT NO. 02-100

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*Motion made, seconded and unanimously carried to approve the request of Spirit Life Christian Center to use amplification (3 microphones, 1 amp, 4 speakers) at Album Park on August 24, 2002 from 3:00 p.m. to 6:00 p.m. Approximately 10 persons will use amplification and spectators are anticipated. PERMIT NO. 02-101

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*Motion made, seconded and unanimously carried to approve the request of Andress High School Band to hold a March-a-thon on August 24, 2002 from 6:00 p.m. to 8:00 p.m. Route: Start at Andress High School, left on Sun Valley, right on Mackinaw, left on Donald, right on Rushing, left on Sagittarius, right on Sigma, left on Trojan, right on Salem, left on Capt. Valtr, right on Round Rock, right on Rushing, left on Wadsworth, right on Van Horn, right on Murphy, right on Salem, left from Fannin School on Salem, right on Kendall, left on Dearborne, right on Alcan, right on Sun Valley to Andress parking lot. Approximately 175 persons and 3 vehicles will take part and 1,000 spectators are anticipated. This request includes permission to use amplification (bullhorn). PERMIT NO. 02-102

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*Motion made, seconded and unanimously carried to approve the request of Abundant Living Faith Center to use amplification (3 microphones, 2 speakers - 650 watts max) at Armijo Recreation Center parking lot on August 24, 2002 from 7:00 a.m. to 1:00 p.m. Approximately 6 people will use amplification and 1,500 spectators are anticipated. PERMIT NO. 02-105

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*Motion made, seconded and unanimously carried to approve the request of Daniel Lofton/Alpha & Omega Temple to use amplification (3 microphones, 450 watts amp, 2 speakers) at Shawver Park Pavilion on August 24, 2002 from 10:00 a.m. to 4:00 p.m. Approximately 3 persons will use amplification and 100 persons are anticipated. PERMIT NO. 02-107

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*Motion made, seconded and unanimously carried to approve the request of Foresters to hold a 5K run/walk on August 25, 2002 from 6:00 a.m. to 11:00 a.m. Route: Start at parking lot at McKelligon Canyon Amphitheater, turnaround, follow road back to back of canyon, circle around, come back and finish in the parking lot. Approximately 250 persons will participate and 20 spectators are anticipated. PERMIT NO. 02-108

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*Motion made, seconded and unanimously carried to approve the request of Millenium Hair Salon to use amplification (4 speakers; 1 microphone) at 1801 N. Zaragoza Suite B (parking space assigned to the business) on August 23, 2002 from 6:00 p.m. to 11:00 p.m. Approximately 50 persons will take part. PERMIT NO. 02-109

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*Motion made, seconded and unanimously carried to delete an Ordinance amending Title 9 (Health and Safety), Chapter 9.04 (Solid Waste Management), Section 9.04.030 (Definitions) of the El Paso Municipal Code, to define side yard; Section 9.04.060 (Container Location), of the El Paso Municipal Code, to more clearly prohibit placement of containers in the front yard on non-collection days and provide guidelines for placement of containers intended for alley pick-up service. The penalty being as provided in Section 9.04.390 of the El Paso Municipal Code.
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ORDINANCE 15177

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF TRACTS 17C10, 17C12, 17C39 AND 17C156, SECTION 8, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO COUNTY, TEXAS (EAST OF ZARAGOZA ROAD AND NORTH OF PICASSO DRIVE) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-2 (COMMERCIAL) AND PARCEL 2, FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Escobar questioned Ms. Patricia Adatao, Director of Planning, as to whether any opposition to the zoning change existed.

Ms. Adatao responded no.

Motion duly made by Representative Escobar, seconded by Representative Cook that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance amending Title 2 (Administration and Personnel), by adding a new Chapter 2.36 (Development Board of Appeals), to establish a new board of appeals for subdivision and development issues.
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ORDINANCE 15178

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8064 (THE CLASSIFICATION AND COMPENSATION PLAN) TO CREATE THE CLASS OF E.P.W.U. BUSINESS STRATEGY ANALYST**

There being no public comment, the vote was taken.

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

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*Motion made, seconded and unanimously carried to postpone one (1) week an Ordinance granting a Special Privilege to Sun City Cab Company authorizing the use of portions of public rights-of-way on the 800 block of Oregon Street and the 200 block of Sixth Avenue with four taxicab stands. (Initial First Year Fee: \$2,768.00, Monthly Renewal Fee: \$104.00) SP-02005
.....

No action was taken regarding the discussion and action on proposal by Checker Taxi Cab Co. of El Paso, Inc. and Checker Taxi Cab of El Paso, Inc. d/b/a Yellow Cab and the Cab Association of El Paso to waive or reduce the annual operating permit for the year 2002 due on September 1, 2002.

Representatives Sumrall, Cook, Sariñana, Cobos and Mayor Caballero questioned Mr. David Escobar, representing Checker Yellow Cab and the Cab Driver's Association, and Ms. Rita Rodriguez, City Attorney, on the permit fee structure and its impact.

Mr. David Escobar, representing Checker Yellow Cab and the Cab Driver's Association, stated that due to the events of September 11th, tourism and the airline industry, in addition to cab drivers, had sustained a major drop in activity. He added that most cab companies were down 20 to 30%, on top of rising gas and insurance costs which explained the need for the requested relief from the \$300.00 annual fee this year.

Mayor Raymond C. Caballero asked if any member of the OMB Department had studied this proposal.

Ms. Rita Rodriguez, City Attorney, responded no and remarked that the fee schedule was established by Ordinance and was not something that could be waived; however, City staff could investigate the proposal.

Mayor Caballero suggested that perhaps the Airport Department could research the matter, possibly interview some of the drivers and come back to Council with some statistics.

Mr. Charlie McNabb, Chief Administrative Officer, interjected that the City raises its fees from general property taxes and user permits and explained that user permits were based on cost. He mentioned that due to the City's procurement of new activity-based software the ability to determine the exact costs would be identified and the prospect of adjusting the user fee might be possible.

Mr. Escobar added that the cab drivers were also paying personal property tax on their equipment, in addition to the operating permit fee.

Representative Sariñana recommended calling a Police and Airport Legislative Review Committee meeting to discuss these same issues.

Mr. Escobar noted that the permit fee would become due on September 1, 2002.

Representative Cook moved to direct City staff to introduce an Ordinance for next week's Council meeting to extend the existing permits by 30 days.

Mr. Leopoldo Sierra, citizen, explained that he was a taxi driver in 1964 and commented on the hardships he had experienced in the trade.

Mr. Vincent Ortega, cab driver, added that due to the tremendous impact of the September 11th events, the cab drivers were requesting the annual permit fees be waived.

Mayor Caballero clarified that City staff would be researching the numbers and providing Council Members with options and thanked everyone for their input/comments.

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Motion made by Representative Cobos, seconded by Representative Power and unanimously carried to authorize the Planning, Research & Development Dept., on behalf of the City Engineering Dept. to initiate and process an application for a special permit for a 100% parking reduction to fulfill parking requirements for the proposed new History Museum and Library Addition & Remodeling Project.

Representative Cobos asked Ms. Patricia Adatao, Director of Planning, to elaborate on the project.

Ms. Adatao stated that the property was included in the History Museum and Library Expansion project and the application request by City Engineering was to consider a 100% waiver of the off-street parking requirement.

Representative Escobar was not present for the vote.

.....
Motion made by Representative Sariñana, seconded by Representative Cobos and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.150 (Designated); Chapter 20.08 (General Design And Use Regulations), Section 20.08.201 (Outdoor Flea Markets); and Chapter 20.64 (Off-Street Parking And Loading Requirements), Section 20.64.180 (Interpretation Of Specific Requirements) of the El Paso Municipal Code, by revising the language in the ordinance pertaining to the duties of the Zoning Administrator and the process for submitting an Outdoor Flea Market Permit Application.
- B. An Ordinance amending Title 14 (Aircraft And Airports), Chapter 14.08 (Airport Zoning), Section 14.08.080 (Board Of Adjustment--Powers And Duties), Section 14.08.090 (Appeals To Board Of Adjustment) and Section 14.08.110 (Administrative Officer Designated) of the El Paso Municipal Code, by clarifying the duties of the Zoning Administrator.
- C. An Ordinance Amending Title 20 (Zoning), Chapter 20.08 (General Design And Use Regulations), Section 20.08.140 (Home Occupations) of the El Paso Municipal Code, by renaming and revising the language in the ordinance pertaining to the duties of the Deputy Director For Building Services.
- D. An Ordinance amending Title 15 (Public Services), Chapter 15.08 (Street Rentals), Section 15.08.120 (Special Privilege Licenses) of the El Paso Municipal Code, by transferring the administration from the Planning, Research and Development Department to the Building Permits & Inspections Department, the penalty being as provided in Section 15.08.125 (Violation And Penalty) of the El Paso Municipal Code.
- E. An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.060 (Department Of Planning, Research And Development) and Section 20.04.070 (Building Services Department) of the El Paso Municipal Code, by reassigning the administration of the Zoning Board Of Adjustment to the Planning, Research And Development Department.

- F. An Ordinance amending Title 20 (Zoning), Chapter 20.04 (Administrative Provisions), Section 20.04.551.1 (Fee--Home Occupation Permits) and Chapter 20.64 (Off-Street Parking And Loading Requirements), Section 20.64.100 (Maintenance) of the El Paso Municipal Code, by renaming and clarifying the duties of the Deputy Director For Building Services.
- G. An Ordinance amending Title 5 (Business Taxes, Licenses And Regulations), Chapter 5.60 (Mobile Home Sale Disclosures), Section 5.60.020 (Required--Content) of the El Paso Municipal Code, by revising the content of the notice to reflect the transfer of the Zoning Administrator to the Planning, Research and Development Department.
- H. An Ordinance amending Title 2 (Administration And Personnel), Chapter 2.16 (Zoning Board Of Adjustment), Section 2.16.060 (Administration) of the El Paso Municipal Code by transferring the administration of the Board from the Department Of Building Services to the Planning, Research and Development Department.
- I. An Ordinance amending Title 20 (Zoning), Chapter 20.02 (General Provisions And Definitions), Section 20.02.909 (Zoning Administrator) of the El Paso Municipal Code, by redefining the term "Zoning Administrator".
- J. An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the class of **ASSISTANT DIRECTOR OF PUBLIC WORKS-ADMINISTRATION** and change the title to **MUNICIPAL SERVICES ADMINISTRATION ASSISTANT DIRECTOR**.

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 4, 2002 FOR ITEM A - J

- K. An Ordinance changing the zoning of Block 301, PIERCE FINDLEY ADDITION, plus the vacated portion of Noble Street and adjacent alley closed by Ordinance 7300, El Paso, El Paso County, Texas (1417 North Brown) from R-5/sp (Residential/special permit) to A-O (Apartment-Office). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: DDD Joint Venture / Representative: Conde, Inc., 1790 Lee Trevino, Suite 400, El Paso, TX 79936. ZC-02030 (**District 8**)

PUBLIC HEARING WILL BE HELD ON SEPTEMBER 10, 2002 FOR ITEM K

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

Representative Escobar was not present for the vote.

.....
 *Motion made, seconded and unanimously carried to delete an Ordinance amending Title 6, Vehicles for Hire, of the El Paso Municipal Code to transfer the general authority and duty for implementation of the Vehicles for Hire Ordinance from the Chief of Police to the Building Permits and Inspections Director.

ADDITION TO THE AGENDA

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor authorize an expenditure of one hundred & fifty dollars (\$150.00) from District 8 - Discretionary Funds to the Parks & Recreation Department for the Marcos B. Armijo Aquatics Facility grand opening ceremonies on August 23, 2002. This money will provide free swim tickets to the community.

***R E S O L U T I O N**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor be authorized to sign a Co-Sponsorship Agreement between and among the City of El Paso, the El Paso Holocaust Museum and Study Center, and the YWCA El Paso del Norte Region for an event commemorating the victims of the terrorist attacks of September 11, 2001, and featuring a speech by civil rights attorney Morris Dees. The event is scheduled to take place on September 11, 2002, at the Judson F. Williams Convention Center. Under the terms of the Agreement, the City will contribute \$1,000 to cover a portion of the costs of the event.

*Motion made, seconded and unanimously carried to appoint Pat Graham-Casey to the Ethics Review Commission by Mayor Raymond C. Caballero.

*Motion made, seconded and unanimously carried to appoint Laura Winter to the History Museum Board by Representative Medina.

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Daniel E. Henry vs. The City of El Paso, Cause No. 2001-4375, Our File No. 01-S-57 (551.071)
- B. Mark Three Development vs. El Paso Central Appraisal, Cause #97-2914 (551.071)
- C. City of El Paso vs. Telles Group, Inc., Cause No. 2002-2869, Our File No. 02-P-01 (551.071)
- D. Acquisition of 607-617 West Franklin (551.072)
- E. Acquisition of 617 Texas Avenue (551.072)
- F. Regarding Contract No. 2001-066 with Excel Construction (551.071)
- G. Regarding Contract No. 2001-250 with W.R. Albert Construction, Inc. (551.071)

NOTE: Acquisition of 607-617 West Franklin was revised to note "(551.072)"
Acquisition of 617 Texas Avenue was revised to note "(551.072)"

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Attorney be **AUTHORIZED SETTLEMENT AUTHORITY** in the lawsuit entitled **DANIEL E. HENRY vs. CITY OF EL PASO; Cause No. 2001-4375; Our File No. 01-S-57**, as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Cook and carried that the Mayor and City Attorney, or her designee, be authorized to sign the Compromise and Settlement Agreements and the related motions and orders with regard to Cause No. 97-2914, Mark III/ Mueller v. Central Appraisal District and all related cases.

Representative Medina voted Nay.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Attorney's Office be **AUTHORIZED TO SIGN STIPULATION** in the lawsuit entitled **City of El Paso vs. Telles Group, Inc., Cause No. 2002-2869, Our File No. 02-P-01**, as recommended by the City Attorney.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the City Attorney or her designee be authorized to negotiate, on behalf of the City of El Paso, for the purchase of the property municipally known and numbered as 607-617 West Franklin and that the Mayor be authorized to sign the resulting contracts and other documents necessary to effectuate the purchase.

.....
Resolution that the Mayor be authorized to sign a Lease Agreement, approved by the City Attorney or her designee, by and between the City of El Paso ("Lessee") and El Paso Natural Gas ("Lessor") covering the property municipally known and numbered as 617 Texas for a term of 2 years and which will provide for a gift of the subject property to the City of El Paso at the end of the two year lease term.

Motion made by Representative Medina, seconded by Representative Cook and unanimously carried to approve the above Resolution.

.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the settlement reached between the City of El Paso and Excel Construction, Inc. be **ACCEPTED**, by the City, in its entirety as recommended by the City Attorney's Office; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

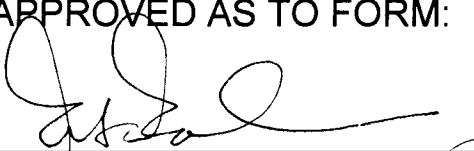
.....
Motion made by Representative Medina, seconded by Representative Cook and unanimously carried that the settlement reached between the City of El Paso and W.R. Albert Construction, Inc. be **ACCEPTED**, by the City, in its entirety as recommended by the City Attorney's Office; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

.....
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 11:10 a.m.

.....
APPROVED AS TO CONTENT:

.....
APPROVED AS TO FORM:


Richarda Duffy Momsen, City Clerk


Rita Rodriguez, City Attorney